

# 2010 UDC January/February/March Updates

Presentation on

# **2009 Uniform Dwelling Code**



Administrative Update

Copyright © 2010

By

Dept. of Commerce,

Safety & Building's Div.

Duane Hubeler, P.E.

UDC Engineering Consultant
Safety and Buildings Division
608/266-1390 voice
608/283-7457 fax

Duane.Hubeler@Wisconsin.gov e-mail

# Administrative Update & New Code

- UDC Enforcement State Inspectors
- DC / DCQ / BCR
- Elevator/Conveyance Code Change
- Other Code Changes/Legislative Update
- Next Code Change Cycle April 1, 2009
- UDC Contacts
- Websites

# **UDC Enforcement Status**

- As of December 1, 2009 S & B UDC credentialed inspectors began providing UDC plan review and inspection services to those municipalities that elected not to provide UDC enforcement.
- For information, or to obtain a UDC permit submittal packet, the Safety and Buildings Division can be contacted at: 608-789-5656 or comsbudctech@wisconsin.gov.

# Municipal Enforcement Status

- As of January 20, 2010 municipalities with:
  - State enforcement 345 (-43)
  - Municipal enforcement 1315 (+43)
  - County enforcement 147 (Same)
- There are 9 counties that provide countywide enforcement.

Adams

Chippewa

Eau Claire

**Florence** 

Langlade

Marquette

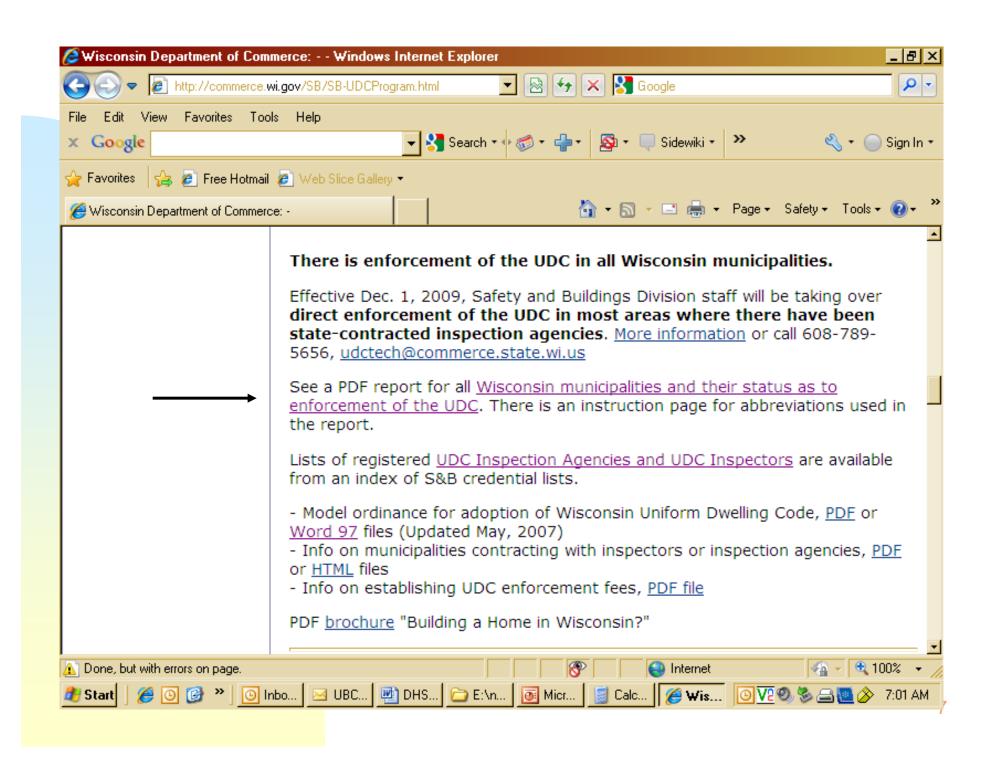
Richland

Trempealeau

Waushara

How can I find out if a municipality has local enforcement, county level enforcement or state level enforcement?

You a can go to the Safety and Buildings UDC program page and click on "There is enforcement of the UDC in all Wisconsin municipalities" on the right-hand side of the page.



#### Municipal UDC Enforcement Statuses and Contacts

There is statewide Uniform Dwelling Code (UDC) enforcement. This list (in alphabetical county order) provides the current UDC enforcement status for municipalities per the following codes:

- Enforcement in Town, Village or City by: S State Division of Safety and Buildings Division (SBD); SC State-Contracted Inspection Agency; C County UDC Enforcement (see county entry for contact information); M Municipality Enforcement;
- Single-Letter County Code: Y UDC Enforcement by County; N No County Enforcement

(Note that this list is subject to change as municipalities adopt or rescind municipal enforcement ordinances.)

If a State Inspection Agency or the WI Divison of Safety of Buildings (SBD) is listed, then you only need to contact them for new dwellings only - not for alterations and additions. The inspection agency permit fees are listed per the following:

- Fee 1 Base price of permit for one- or two-family dwellings up to 800 square feet finished interior area, including finished basements, but not including garages, unfinished basements, breezeways, porches or decks. The fee for a duplex dwelling shall be calculated as for a single-family dwelling.
- Fee 2 Cost per square foot beyond 800 square feet of finished interior area
- Fee 3 Cost per square foot of non-finished areas including garages, breezeways, porches and decks and unfinished basements. (A finished basement has a finished ceiling.)
- Fee 4 Any required inspection trips in excess of 8

In addition, the following fees are also applicable in state-contracted inspection agency or SBD areas:

- Permit applicants will also be charged an additional \$30 for the Wisconsin UDC Permit Seal.
- Fees for factory-built homes shall be the base fee for any closed-panel manufactured areas and full fee for site-built areas, except that fees for the factory-built portion on slabs shall be 1/2 of the 800 square foot base fee in 8C areas or 2/3 of the base fee in 8BD-enforced areas.
- Fees for dwellings with neither plumbing nor electrical systems shall be 2/3 of the normal fee.
- Fees for dwellings started prior to the earlier of permit issuance or prior to ten business days after permit application and no review action has taken place shall be an additional 60% of the normal fee.
- Fees for any separate footing and foundation approval shall be \$60.

Contact the Wisconsin Division of Safety of Buildings for update information at our website, www.commerce.wi.gov/sb or tel. (608)789-5656.

01032		GRAND MARSH 53936		6085845815				
TO	WN OF STRONGS PRAIRIE	PO BOX 69		6085647626	M			
010	34	ARKDALE	54613-006					
VILLAGE OF FRIENDSHIP 01126 CITY OF ADAMS 01201		PO BOX 206		6083393243	M			
		FRIENDSHIP	53934-020					
		PO BOX 1009		6083396516	M			
		ADAMS	53910-100					
CO	UNITY OF ADAMS	PO BOX 278		6083394272	Y			
019	999	FRIENDSHIP	53934-027					
county	ASHLAND							
TO	WN OF AGENDA	82479 COUNTY	RDF		M			
020	002	BUTTERNUT	54514-868	7157693538				
TO	WN OF ASHLAND	71692 GILGEN I	RD	7156852114	S	WI DIVISION OF SAFETY & BUILDINGS	\$450.00	\$0.10
020	004	MELLEN	54546			(608) 789-5656	\$0.20	
TO	WN OF CHIPPEWA	12308 STANGLE	ERD	7157625382	M			
020	006	BUTTERNUT	54514-974					
TOWN OF GINGLES		49959 HOLMES RD			S	WI DIVISION OF SAFETY & BUILDINGS	\$450.00	\$0.10
020	008	ASHLAND	54806	7156825343		(608) 789-5656	\$0.20	
TO	WN OF GORDON	24451 GORDON	LAKERD	7152642460	S	WI DIVISION OF SAFETY & BUILDINGS	\$450.00	\$0.10
020	010	GLIDDEN	54527-961			(608) 789-5656	\$0.20	
TO	WN OF JACOBS	PO BOX 184		7152644851	S	WI DIVISION OF SAFETY & BUILDINGS	\$450.00	\$0.10
020	012	GLIDDEN -	54527-018			(608) 789-5656	\$0.20	
TO	WN OF LA POINTE	PO BOX 270		7157476913	M			
020	014	LA POINTE	54850-027					
TOWN OF MARENGO		62903 VISTA RD		S	WI DIVISION OF SAFETY & BUILDINGS	\$450.00	\$0.10	
020	016	MARENGO	54855-974	7152783226		(608) 789-5656	\$0.20	

# Municipal Responsibility

- •If the municipality initially has the state provide the enforcement, it may decide at a later date to provide its own enforcement.
- •To do that it must <u>adopt an ordinance</u> specifying that it is providing enforcement and must employee or contract with an inspector(s) or inspection agency either of which has the appropriate UDC credentialed inspector(s).
- •In accordance with Comm 20.06 (1) (b) the municipality intending to exercise jurisdiction shall notify the department, in writing, at least 30 days prior to the date upon which it intends to exercise jurisdiction.
- A sample UDC ordinance for adoption may be found on the S & B UDC Program webpage.

# Dwelling Contractor & Dwelling Contractor Qualifier License

Rules Became Effective -- January 1, 2008

- ➤ A category called "Dwelling Contractor Qualifier" was created to address the continuing education requirements.
  - It is on a 2-year cycle.
  - The continuing education is 12 hours every 2 years.
  - This credential belongs to a person



## **Comm 5.315 Dwelling contractor qualifier.**

(1) GENERAL. The purpose of the dwelling contractor qualifier certification is to provide proof of fulfilling the continuing education obligations to the issuers of building permits as required under s. 101.654 (1) (a), Stats.

- 2. a. A statement which may be verified by the department that the person at any time from April 11 to April 14, 2006 was the applicant for, was a person eligible to apply for, or was the contact person for a dwelling contractor financial responsibility certification or dwelling contractor financial responsibility restricted certification.
  - b. This subdivision does not apply after September 1, 2009.
  - c. The eligibility provisions under this subd. 2. a. may be used only once to obtain a dwelling contractor qualifier certification.

Reason for Credential: In order to obtain construction or erosion control building permits for one- and two-family dwellings, a contractor shall possess a Wisconsin Dwelling Contractor Certification (see separate application) and in addition that dwelling contractor shall have an employee, owner, CEO or Chairman of the Board that as an individual holds this Dwelling Contractor Qualifier Certification.

Applying For Dwelling Contractor Qualifier Certification: You may obtain a credential as a Dwelling Contractor Qualifier by submitting an application, application fee, credential fee and evidence of completing at least 12 hours in an approved initial qualifier course in dwelling construction within one year prior to the date of application.

ATTACH course provider verification that you have successfully completed an approved course and test,

The following providers have courses approved to qualify a person for this license:

Course ID #	Provider	Telephone Number/web-site	Course Name
8857	Gary Klinka	(920) 727-9200	Internet_DCQ_Quiz
		www.garyklinka.com	
8858	Metropolitan Builders	(262) 436-1122	MBA New Contractor
	Association	www.mbaonline.org	Qualifier Course
8863	Metropolitan Builders	(262) 436-1122	MBA New Contractor 12
	Association	www.mbaonline.org	Hour Series
8864	180 Degree Education	(877)-669-0766	Internet Dwelling Contractor
		www.MyContractorCampus.com	100
8899	NE WI Technical	(920) 498-5659	Initial Qualifier Dwelling
	College		Contractor
	Donald M. Jaworski		

- (3) RENEWAL. (a) 1. A person may renew his or her certification as a dwelling contractor qualifier.
- 2. A dwelling contractor qualifier certification shall be renewed in accordance with s. Comm 5.07.

(b) 1. The renewal of a certification as a dwelling contractor qualifier shall be contingent upon the individual obtaining at least 12 hours of acceptable continuing education within the time period specified in s. Comm 5.08 and Table 5.06, except as provided in subd. 2.

How does this affect municipal, county and state contracted UDC inspectors/permit issuers?



Comm 20.09 (5) (c) Pursuant to s. 101.65 (1m), Stats., a Wisconsin uniform building permit may not be issued to a person unless the person complies with all of the following, except as provided under s. 101.654 (1) (b) and (c) 2., Stats.:

**Note:** Section 101.654 (1) (b), Stats., exempts an owner of a dwelling who resides or will reside in the dwelling and who applies for a building permit to perform work on the dwelling from obtaining a dwelling contractor financial responsibility registration. Under s. 101.65 (1r), an owner who obtains a building permit needs to sign a statement advising the owner of the potential consequences of hiring a contractor to perform work under the permit who is not bonded or insured under s. 101.654 (2) (a), Stats.

#### (Part of Copy for Applicants)

#### **Cautionary Statement To Owners Obtaining Building Permits**

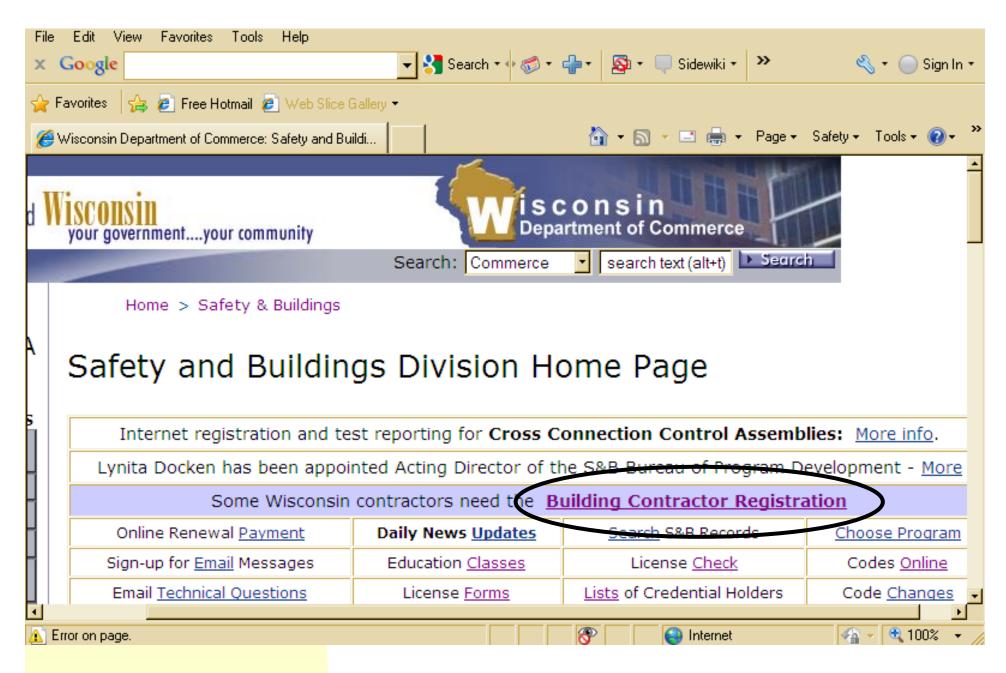
101.65(lr) of the Wisconsin Statutes requires municipalities that enforce the Uniform Dwelling Code to provide an owner who applies for a building permit with a statement advising the owner that:

If the owner hires a contractor to perform work under the building permit and the contractor is not bonded or insured as required under s. 101.654 (2) (a), the following consequences might occur:

- (a) The owner may be held liable for any bodily inquiry to or death of others or for any damage to the property of others that arises out of the work performed under the building permit or that is caused by any negligence of the contractor that occurs in connection with the work performed under the building permit.
- (b) The owner may not be able to collect from the contractor damages for any loss sustained by the owner because of a violation by the contractor of the one- and two-family dwelling code or an ordinance enacted under sub. (1) (a), because of any bodily injury to or death of others or damage to the property of others that arises out of the work performed under the building permit or because of any bodily injury to or death of others or damage to the property of others that is caused by any negligence by the contractor that occurs in connection with the work performed under the building permit.

# A Third Category Called "Building Contractor" has been added.

- It is a simple registration no continuing ed no financial responsibility.
- It is issued to the business. Everyone working for that business is covered (Like DC)
- It must be renewed every 4 years.
- Cost is currently \$25 per year for a total of \$100 for the 4 year credential.



# Comm 5.30 Building contractor. (1) GENERAL.

(a) Except as provided in par. (b), no person or entity may engage in a construction business or offer to engage in a construction business that affects public buildings, places of employment, one— and 2— family dwellings, public swimming pools and water attractions, unless the person or entity holds a registration issued by the department as a registered building contractor.

- (b) Paragraph (a) does not apply to any of the following:
- 1. A person or entity that holds any of the following credentials issued by the department:
  - a. A dwelling contractor certification.
  - b. A dwelling contractor restricted certification.
  - c. A manufactured home manufacturer license.
  - d. A manufactured home dealer license.
  - e. A manufactured home installer license.
  - f. An electrical contractor certification.
  - g. An electrical contractor restricted certification.
  - h. An HVAC contractor registration.
  - i. An elevator contractor license.
- 2. A person or entity that works only on real estate or property they own or lease.

## (c) Under this section:

1. "Construction business" means a trade that installs, alters or repairs any building element, component, material or device that is regulated under the commercial building code, chs. Comm 60 to 66, the uniform dwelling code, chs. Comm 20 to 25, the electrical code, ch. Comm 16, the plumbing code, chs. Comm 81 to 87, or the public swimming pools and water attractions code, ch. Comm 90. The term does not include the design of the structure, the delivery of building supplies or materials, or the manufacture of a building product not on the building site.

#### **Building Contractor Registration**

# **Note:** Examples of construction businesses that are to register.

Building site preparation/stabilization

Drywall and plastering

**Electric wiring** 

Finish carpentry

Fire protection

Flooring

Framing carpentry

General building construction

Glass and glazing

Insulation

Masonry and stone work

Plumbing

Poured concrete foundations and structures

Precast concrete

Public swimming pools and water attractions

ETC.

#### Comm 61.295 Administrative coordination.

- (2) Pursuant to s. 101.02 (13) (b), Stats., a municipality may not issue a building permit to commence a construction business activity to a person or entity unless the person or entity holds a registration issued by the department under s. Comm 5.30 as a building contractor or holds one of the credentials listed under s. Comm 5.30 (1) (b) 1., except as provided in s. Comm 5.30 (1)
- (b) 2 (porcen evene property)
- (b) 2. (person owns property)

## REGULATION OF CONVEYANCES



New regulations for elevators and dumbwaiters serving individual residential dwelling units, effective January 1, 2009.

See letter of December 18, 2008.





Residential Elevator

**Vertical Platform Lift** 

# Comm 21.115 Installation of elevators or dumbwaiters.

Elevators or dumbwaiters serving dwelling units shall comply with the requirements under ch. Comm 18.

> Comm 5.37 Elevator contractors.

- Comm 5.38 Elevator installers.
  - (1) A licensed elevator mechanic.
  - (2) A registered elevator apprentice.
  - (3) A registered elevator helper.
- Comm 5.64 Elevator inspectors.



## OTHER CONTACTS/RESOURCES

#### Asbestos and Lead

Steven M. Antholt, Public Health Educator, Asbestos and Lead Unit, DHS (608) 261-4949, Steve.Antholt@dhs.wisconsin.gov

- Asbestos Information: www.dhs.wisconsin.gov/asbestos
- Lead information: www.dhs.wisconsin.gov/lead

Note: Lead Paint rules effective April 22, 2010

If the project disturbs 6 sq. ft. or more of paint per room, 20 sq. ft. or more of exterior paint, or involves windows and is in a dwelling or child-occupied facility built before 1978 requirements of ch. DHS 163 requiring Lead-Safe Renovation Training and Certification apply. Call 608.261-6876 or go to <a href="http://dhs.wisconsin.gov/lead/WisconsinRRPRule.htm">http://dhs.wisconsin.gov/lead/WisconsinRRPRule.htm</a> for details of how to be in compliance.

#### Radon

Conrad Weiffenbach, Radon Program
Wisconsin Division of Public Health
608 267-4796,
Conrad.weiffenbach@dhs.wisconsin.gov

**Radon Information for Wisconsin:** 

www.lowradon.org

Tenant Resource Center
Offices in Madison and Milwaukee
Phone (608) 257-0006 & (414) 431-7337

www.tenantresourcecenter.org

# Legislative Update

There is a legislative bill proposal to require the installation of CO alarms in all One and Two-Family Dwellings.

### **AB 607**

AN ACT to amend 440.974 (1) (b); and to create 101.615 (1m) and 101.647 of the statutes; relating to: requiring carbon monoxide detectors in buildings containing one or two dwelling units.

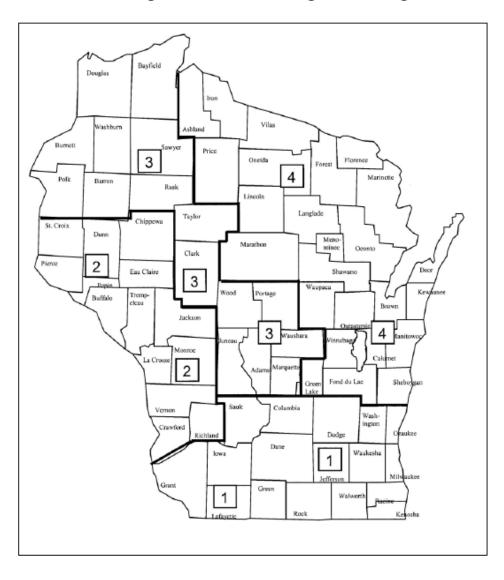
# 2009 Code Changes

Effective April 1, 2009



# UDC and Manufactured Home Contacts

#### Safety and Buildings Division Uniform Dwelling Code Consulting Staff Regions



Region 1 - Duane Hubeler, 608-266-1390, dhubeler@commerce.state.wi.us

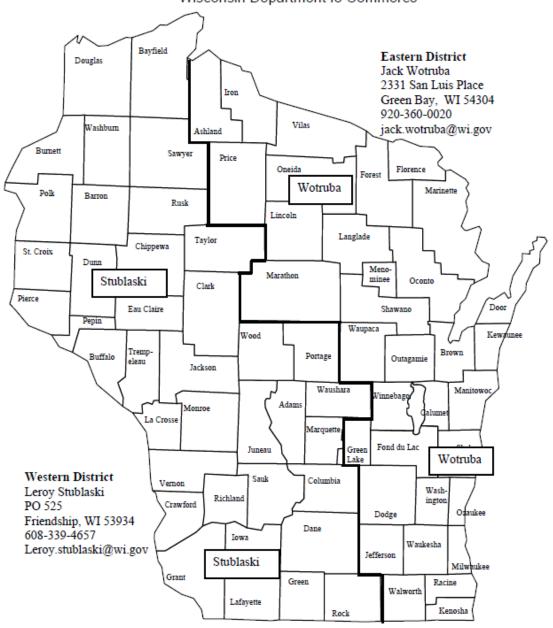
Region 2 - Jack Miller, 608-785-9348, jamiller@commerce.state.wi.us

Region 3 - Leroy Stublaski, 608-339-4657, Lstublaski@commerce.state.wi.us

Region 4 - Jack Wotruba, 920-492-6500 jwotruba@commerce.state.wi.us

#### Manufactured Home Consultants

Safety and Buildings Division Wisconsin Department fo Commerce



### Safety and Buildings Division Staff

◆ Larry Swaziek, Program Manager

608/267-7701 voice 608/264-8795 fax Larry.Swaziek@wi.gov

◆ Leroy Stublaski, UDC Engineering Consultant Manufactured Home Coordinator

608/339-4657 voice

608/219-9483 UDC cell phone

608/283-7428 fax

608/576-6224 HUD cell phone

Leroy.Stublaski@wi.gov

### Duane Hubeler, UDC Engineering Consultant

608/266-1390 voice 608/283-7457 fax

Duane.Hubeler@wi.gov

◆ Jack Miller, UDC Consultant - Plan Reviewer

608/785-9348 voice 608/785-9330 fax Jack.Miller@wi.gov

## Jack Wotruba, UDC EngineeringConsultant

- Manufactured Home Coordinator

920/360-0020 voice

920/492-5604 fax

Jack.Wotruba@wi.gov

◆Gary Ekes, Manufactured Dwelling Consultant

608/575-0967 voice

608/283-7428 fax

Gary Ekes@wi.gov

◆ Brian Ferris, Inspection Section Chief 608/785-9335 voice 608/235-0585 cell phone 608/785-9330 fax Brian.Ferris@wi.gov

◆ Tom Kasper, UDC Section Chief 608/267-7586 voice 608/267-9566 fax

Tom.Kasper@wi.gov

◆ Other general questions (608) 283-7409 fax

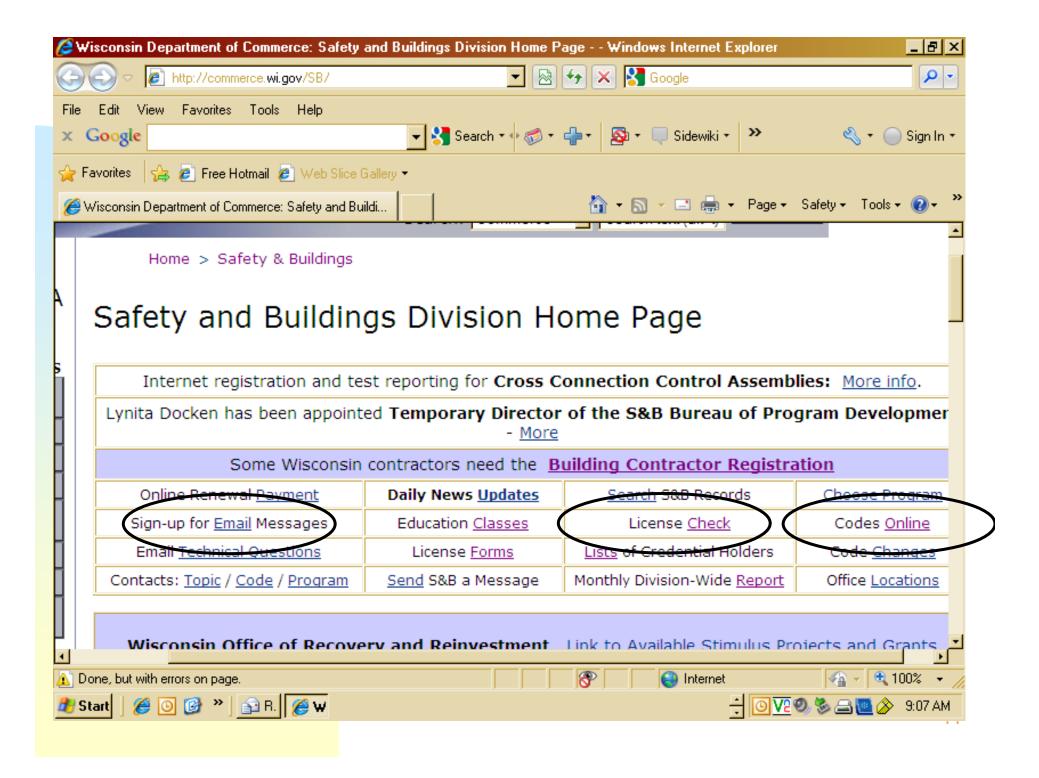
(000) 200-7 409 Tax

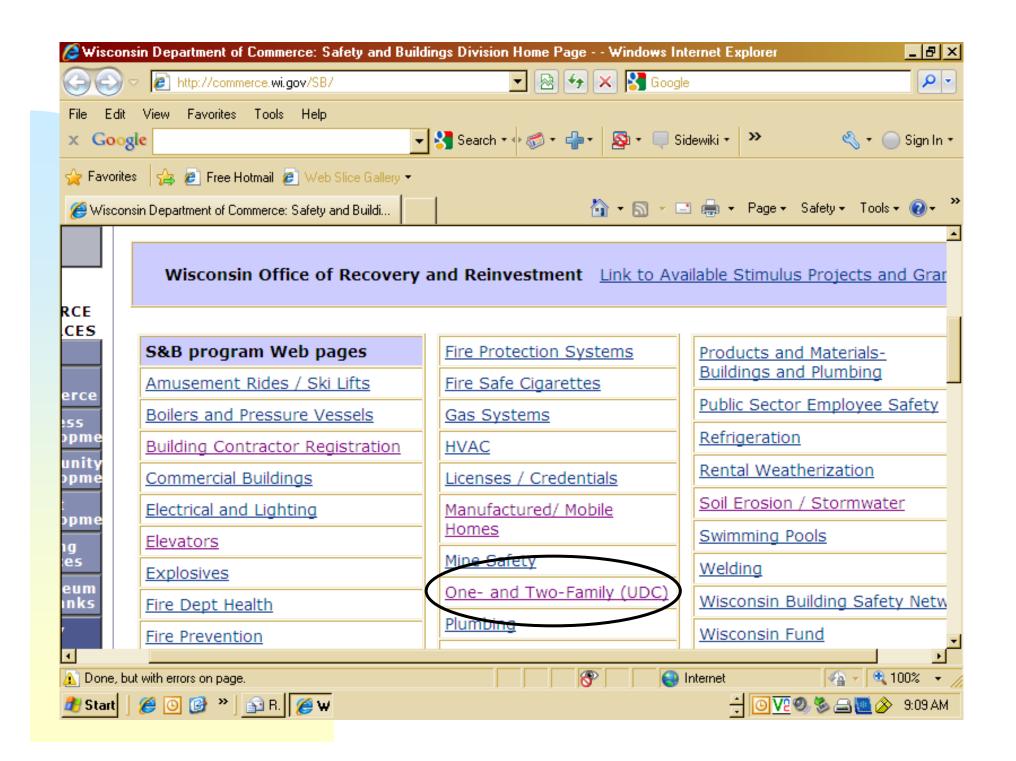
udctech@commerce.state.wi.us

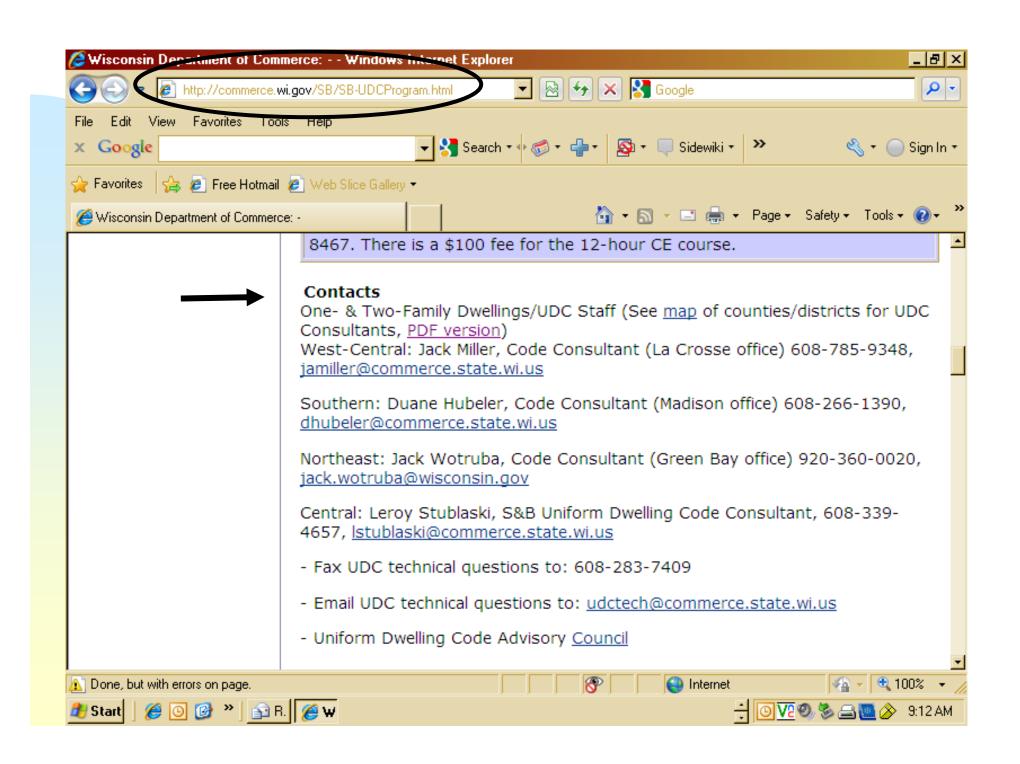
Note: The last page of the handout includes a UDC staff contact list.

### Websites

- Department of Commerce
  - www.commerce.wi.gov
- Safety and Buildings Home Page
  - www.commerce.wi.gov/SB
- Commerce Codes
  - www.commerce.wi.gov/SB/SB-DivCodes.html
- Wisconsin Administrative Codes
  - <u>www.legis.state.wi.us/rsb/code/codtoc.html</u>







# Protecting Children from Lead Poisoning with Wisconsin's NEW Lead-Safe Renovation Rule

2010 Wisconsin Department of Health Services

## Lead Paint Dust is Dangerous

- Kids who ingest tiny amounts of lead dust
  - Brain damage
  - Behavior/learning problems
  - High probability of delinquency
  - Costs Wisconsin about \$50,000
     per child over lifetime (> 45,000
     kids poisoned since 1996)
- Adults who inhale dust
  - Shortens life span
  - High risk of Alzheimer's
  - Stroke, heart disease, diabetes



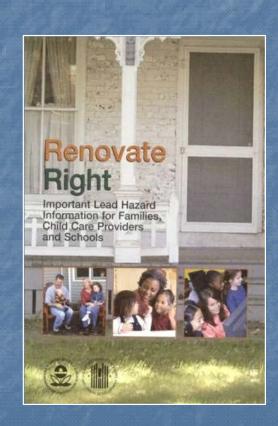
# The DHS Lead-Safe Renovation Rule: Work is Regulated . . .

- When performed for compensation
- In pre-1978 housing or child-occupied facility (daycare, school, etc.)
- And it...
  - Disturbs 6 sq. ft. or more of paint per room, or
  - 20 sq. ft. or more of exterior paint, or
  - Involves windows

# Wisconsin Building Inspectors How you can help educate contractors

Caution contractors that they may need to be trained and certified under the DHS Lead-Safe Renovation Rules.

- To find out, they can:
  - Go to wwww.dhs.wi.gov/lead
  - Call the DHS Lead Program at: 608-261-6876
- Provide information on the lead-safe renovation requirements in your office



### **Any Questions?**

